

**Minutes of the Planning Board
Regular Meeting
May 8, 2025**

Members Present: Tamara Peacock (Vice-Chair), Donna Waters, Kyle Gilgis, Mark Russell, Bob Johnson, David McKinley, Laura Flores, Lauren Rippey

Members Absent: Jim Robertson (Chair), Peter Hanley

Staff Present: Tyler Morrow, Current Planning Manager, Sam Hayes, Planner II, Matthew Manley, Long Range Planning Manager, Lew Holloway, Community Development Director. Angela Becker, City Attorney

- I Call to Order. *The Vice-Chair called the meeting to order at 4:00 pm. A quorum was established.***
- II Approval of Agenda. *Ms. Gilgis moved to approve the agenda. The motion was seconded by Mr. Russell and passed unanimously.***
- III(A) Approval of Minutes for the meeting of April 10, 2025. *Ms. Gilgis moved to approve the Planning Board minutes of the meeting of April 10, 2025. The motion was seconded by Ms. Waters and passed unanimously.***
- IV Old Business**
- V New Business**
- V(A) Conditional Zoning District – Ronan at Hendersonville (P24-33-CZD).** Mr. Morrow gave the following background:

Mr. Morrow stated the city has received an application for a conditional rezoning and the subject property is made up of one parcel. It is located on South Allen Road and Upward Crossing Drive. The applicant is Graycliff Capital Development, LLC. The applicant is requesting to rezone the subject property to CHMU CZD. The subject property is approximately 17.13 acres and they are proposing to construction a 192 unit multi-family development with associated accessory buildings.

The NCM for this project was held June 19, 2024. Topics discussed were the need to conserve as many trees as feasible, whether the stormwater detention location would affect tree preservation, the absence of Phase II being discussed during Phase I of the Waterleaf development review, the affordability of the housing units, the recommendation for conducting a wildlife study and concerns regarding the loss of agricultural land.

Site photos were shown and are included in the staff report and presentation.

A brief rezoning history was discussed and is included in the staff report and presentation.

A site plan that was shown and is included in the staff report and presentation. The development includes eight apartment buildings. The site plan was discussed.

Mr. Morrow stated that all the buildings do meet the design requirements for CHMU minus the parking condition.

Mr. Morrow stated a Traffic Impact Analysis was submitted for this project. The TIA showed this project would generate 1,306 daily trips, 82 AM peak hour trips and 103 PM peak hour trips. Five intersections were used as part of this TIA.

A city staff proposed condition that was not agreed to by the developer was discussed. The condition stated the development shall provide a roadway connection between the current dead end of Upward Crossing and South Allen Road. This roadway connection is supported by the zoning ordinance, comprehensive plan and transportation best practices. The connection shall follow the public roadway design established with the existing Waterleaf Phase I extension. The roadway extension was discussed. This is included in the staff report and presentation.

The city proposed condition that was a counter to the previous one was discussed and is included in the staff report and presentation. This condition was approved by the developer.

The developer proposed conditions were discussed and are included in the staff report and presentation.

Future Land Use map was shown and is included in the staff report and presentation.

General Rezoning standards for Comprehensive Plan Consistency were discussed and are included in the staff report and presentation.

The Current Land Use and Zoning map was shown and is included in the staff report and presentation.

General rezoning standards for compatibility were discussed and are included in the staff report and presentation.

A draft Comprehensive Consistency statement was included in the presentation and staff report.

A draft reasonableness statement for approval and denial were included in the staff report and presentation.

Vice-Chair asked if there were any questions for staff.

Mr. Johnson asked about buffering from the interstate. Mr. Morrow stated the city does have some buffering requirements for any public roadway and interstates are not treated differently. They are providing street trees along I-26 and shrubs. As proposed most of the buffering will be from those street trees and not like a sound wall.

Ms. Gilgis asked how soon would it be before the residents requested sound walls. Those trees are not going to provide the kind of buffer that would provide any kind of quality of life as far as sound walls. She asked who is responsible for sound walls if the residents want them. Mr. Morrow stated NCDOT is doing some additional upgrades to I-26 and he does not believe sound walls are in that current contract for them to do those so if there were sound walls it would be between the developer and NCDOT to work out. It would not be anything the city would require. She stated the buildings are three stories high, correct? Mr. Morrow stated correct. She stated and the trees are 1 ½ inch caliper. Mr. Morrow stated yes, usually. Ms. Gilgis stated it would take a long time for them to grow and have any kind of a buffer. Mr. Morrow stated yes.

There were no further questions for staff.

Vice-Chair asked if the applicant would like to speak.

Warren Sugg with Civil Design Concepts stated they are a civil engineering group here in Western North Carolina. He stated he would give a presentation and these are not final drawings, they are concept plan drawings. He stated their main point of connection is off of Upward Crossing. He pointed that out on the site plan. He also explained the site plan and pointed out the clubhouse and the garage units. He also pointed out the amenities. They have a dog park and they also have a playground area, fire pits and a pool. They will connect to city water and sewer. He discussed stormwater and pointed out the drainage areas. They are trying to catch the run-off in several different drainage areas. They go through all the details and design for stormwater control. He pointed out the open space areas where they will be saving some of the trees. There are not a ton of trees there because it is kind of an open field. They are aware that there are some streams and wetlands on site. They are going through a field review which will be sent to the Army Corp of Engineers for their review. They will determine what are streams and wetlands on the site. He discussed the fire access.

Chair asked if there any questions for the applicant.

Ms. Gilgis stated let's talk about public safety, let's talk about fire trucks, let's talk about ambulances, sprinklers aren't going to do it. She also stated can a fire truck, a ladder truck get in there. Mr. Sugg stated yes. Ms. Gilgis stated how? Mr. Sugg stated they are able to drive up Upward Crossing and they are able to turn into the main intersection and they are able to make any kind of connections within. Ms. Gilgis asked him to show her. Mr. Sugg pointed this out on the site plan. Discussion was made on the sprinklers.

Ms. Gilgis asked about the rectangular area on the plan. Mr. Sugg stated that is a stormwater pond.

Vice-Chair asked for the applicant to point out the area where the sidewalk that they did not want to put in is located. Mr. Sugg pointed this out along with the wetlands. Vice-Chair asked how long the sidewalk was to make the connection. Mr. Sugg stated 100 feet give or take and five feet wide.

Discussion was made on the road going through there and if that would give them the frontage they need to meet those standards. Mr. Sugg stated he thinks that is something that could be debated. He thinks what they have is very adequate. It does what is intended. They are working with what they have.

Discussion was made on if there would be any barrier off of I-26 coning into the development. Mr. Sugg stated there are plantings. There is no fences or barriers or sound barriers like what was mentioned. The site will be built up so they would have to climb a little to get in there. There is a pretty steep grade.

Vice-Chair asked the logic was on the tail piece of property that was supposed to get a roadway on it and you did not agree to that condition. Mr. Sugg stated he thinks that is just residual property from the sale. Vice-Chair stated it is supposed to be a road actually and it shows a lot of exhibits as a road. Mr. Sugg stated they will have some other folks speak to that.

Jay Lee representing Graycliff Capital and their development team stated Graycliff has been active in the area for about 10 years, having done seven workforce housing developments. He discussed housing in the area and what is needed. When city staff first made it apparent a few months ago that they would be including the road extension from Upward Crossing Drive down to South Allen as a condition of approval for their rezoning, they did have their general contractor price the existing road construction plan that the landowners had drawn years ago. He knows their budget and financial feasibility is not necessarily a concern of the Planning Board but he does think it is a major part of this story especially for a market that according to the study needs 60,000 more units in the next 3 ½ years. Their general contractor came back

and determined the road would cost about 2.3 million dollars to extend it from where it currently terminates at the rear entrance to the Summit of Hendersonville and all the way to South Allen. A lot of the cost comes from clearing out the two extensive tree groves on site and filling in paving and the existing wetlands on the property those of which we are proposing to remain undisturbed and as natural amenities for our community. Another thing that was brought up is how the road extension has been shown on past plans and past submissions for the adjacent property. The really important and missing context behind this being shown on their previous site plans is at the time they were entitling the Summit at Hendersonville, the landowners of the Ronan site were pursuing selling this land to a retail developer. He has a site plan that the landowners sent to him years ago while working on the Summit project that shows a retail development going on one portion of this site and the land being subdivided to offer further retail. This site plan was shown to the Board. That is why on their initial submittal for Summit at Hendersonville, the road extension is shown as proposed to be designed and built by others. It was their understanding if retail developers were coming in here and developing store fronts along this road, they would absolutely be extending the road all the way through in order to get more vehicles in front of their stores every day. Now that this has been proposed as an entirely different use, this is a fully residential neighborhood and they have concerns about building a cut through road through the middle of a residential neighborhood. Given how close they are to I-26, they have concerns about truckers and students of the Blue Ridge Community College bypassing the existing infrastructure of Upward Road and South Allen to take their neighborhood as a short cut instead of the existing roadways. He stated the Traffic Impact Analysis which has been finalized and approved by NCDOT and the city, determined that no traffic control improvements have been identified. The city's third party engineering review of their TIA which determined that adding 192 housing units to this area, the expected increase and traffic delays at the intersection of Upward Road and Upward Crossing Drive at peak commute hours in the morning would increase by one second. So they are asked to build a 2.3 million dollar road in order to save commuters one second in the morning. He stated they have several conversations concerning fire and life safety with the city Fire Marshal who has confirmed they will fully comply with the state fire code by having full sprinklers and alarm systems and one entry point where they are located on Upward Crossing Drive. He pointed out the entrance and the connection to the Summit on the site plan and also pointed out the proposed road extension and where it would be.

Ms. Flores asked what the proposed rents would be. Mr. Lee stated they do not know for sure right now. They will be market rate and rents kind of fluctuate daily right now. They will be within 80 to 100% of the median income. This project will not open until at least two years from now so there is just no way to tell.

Ms. Waters stated if this is workforce housing it will be the age where a lot of children could be living there. Has he considered the effect on the Henderson County School System and have you thought about an impact study or offered to help the school system? Mr. Lee stated they would be more than willing to help. Having school age children in the development is another reason they have concerns about this road extension.

Vice-Chair asked if they had any issue with staff's alternate request that they have a private easement through the original site. Mr. Lee stated they have no issues there.

Vice-Chair asked the developer to discuss the developer's proposed conditions. Mr. Lee discussed these conditions. Discussion was made on the sidewalk and the impact to the wetlands. As long as there are no serious impact to the wetland they are willing to put the sidewalk in.

Discussion was made on the trees and the highway. Mr. Morrow explained the street trees and pointed out the common open space area. The larger caliper tree is only specifically for CHMU and it is only specifically from the common space trees that are required as part of that area.

It was stated there are 54 street trees provided along the interstate and another 21 along Upward Crossing, there is vehicular use which provides another 38 trees along with 76 shrubs and on the street buffer they

have 36 shrubs, open space they have 560 shrubs and they have some tree credits and trees required. They have a credit of 108 so 42 trees, common open space they are 63 trees provided and another 375 shrubs.

Craig Justus, attorney representing the applicant stated the access question that was asked about, just a reminder there is the easement through Summit. There is interconnectivity to those two residential neighborhoods. There is access availability through Summit. In terms of the noise variable, obviously these folks are not going to put in a product where the people will not be excited about living there. As you heard they will be looking further on how to deal with it. There is a lot of housing along I-26. He discussed workforce housing and the cost of living today. He talked about the extension of the roadway not being needed and the cost.

There were no questions for the applicant.

Vice-Chair opened public comment.

Ken Fitch, 1046 Patton Street stated the future use of this parcel was a mystery. He discussed the road extension and the wetland. The sidewalk is an issue. There should be some kind of creative solution on this. He talked about the impact of a road at that location. He talked about having three entrances right together. The caliper issue was also a concern of his.

Glenn Lange, 625 Ferncliff stated he is with the Hendersonville Tree Board and he would be glad to talk with you about the caliper of the trees. He stated the 3 and 3 ½ caliper requirement has been in the zoning ordinance for a while and is not anything new. It is related to the common space. It is there to create quicker tree canopy cover for the enjoyment of the residents. They see no reason that sticking with the code is problematic. They recommend that they stick with the 3 or 3 ½ inch caliper just for the common open space trees. All the other trees they plant can be the smaller ones.

Vice-Chair closed the public hearing.

The Board discussed the caliper of the trees. Vice-Chair stated the code for the interstate is for the smaller trees. The sidewalk was also discussed. Discussion was made on the motion and the conditions.

Mr. Russell moved Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9588-22-1126) from CHMU, Commercial Highway Mixed Use to CHMU-CZD, Commercial Highway Mixed Use Conditional Zoning District, for the construction of a 192 unit multi-family development based on the master site plan and list of conditions submitted by and agreed to by the applicant, [dated 4-25-25] and presented at this meeting and subject to the following: 1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses: Permitted Uses: 1. Residential dwellings, multi-family. 2. Accessory uses & structures. 2. Permitted uses and applicable conditions presented on the site plan shall be amended to remove condition 4 and condition 6. 3. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because: The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan. 4. We find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because: 1. The proposed development further supports the growth of this area as a multi-family node along the I-26 corridor, placing residents in close proximity to I-26, Blue Ridge Community College, a bank, and other commercial amenities. 2. The proposed development

adds needed housing to help address local demand. Ms. Waters seconded the motion which passed 7 in favor and 1 opposed (Ms. Gilgis).

V(B) Conditional Zoning District – Pace Hendersonville (25-11-CZD). Mr. Manley gave the following background:

Mr. Manley stated the city has received an application for a conditional rezoning. The location is 201 Sugarloaf Road and is currently the site of the Cascades Mountain Resort. The property owner is Hendersonville Hospitality and Jacob Glover is here today representing Pace Living. The existing zoning is split zoned C-3 and CHMU. The proposed zoning is Urban Residential. He has an alternate zoning that he will introduce as well. The current land use is a hotel which consists of two buildings. The applicant is proposing to keep the site as is and convert those buildings to multi-family with 120 units. That comes up to 17.8 units per acre on a 6.72 acre site.

The Neighborhood Compatibility meeting was held March 7, 2025. Topics discussed were safety and security measures, improvement to transportation infrastructure/access, sustainable building practices, site drainage, preservation of existing vegetation, provision of a community garden, safe pedestrian access, amenities, public vs. private, provision of a TIA and property management.

Site photos were shown and are included in the staff report and presentation.

The site plan was shown and discussed and is included in the staff report and presentation.

Mr. Manley stated there is no tree preservation required because there is no disturbance of the site proposed. The developer has indicated that all vegetation would remain and landscaping requirements would be met. Trip generation was calculated for this development and the peak AM trips came in at 48 and the peak PM trips came in at 61. The daily trips came in at 809. This does not fall under the threshold for a TIA but NCDOT has stated that Sugarloaf Road is on the list of roads that need improvement and therefore that would require a TIA. The applicant is making a case that the existing use for lodging actually has a higher trip generation than multi-family so they would be bringing down the potential trip generation and it is under the city's threshold. Urban Residential does require a TIA but it could be deferred by City Council. The applicant has asked that it be waived completely. Sidewalks were discussed along with parking spaces. Landscaping compliance will be triggered.

Elevations were shown and discussed and are included in the staff report and presentation.

Professional photos were shown and are included in the staff report and presentation.

The developer proposed conditions were briefly discussed and are included in the staff report and presentation.

Future Land Use map was shown and is included in the staff report and presentation.

General Rezoning standards for Comprehensive Plan Consistency were discussed and are included in the staff report and presentation.

The Current Land Use and Zoning map was shown and is included in the staff report and presentation.

Mr. Manley stated there are some code enforcement and fire and building code violations on the property.

General rezoning standards for compatibility were discussed and are included in the staff report and presentation.

A draft Comprehensive Consistency statement was included in the presentation and staff report.

A draft reasonableness statement for approval and denial were included in the staff report and presentation.

Mr. Manley discussed the housing reforms. He explained the Urban Residential zoning and the CHMU zoning. Walkability and sidewalks were discussed.

Vice-Chair asked if there were any questions for staff.

Vice-Chair asked about the CHMU zoning and being more compatible with the neighborhood, what uses are allowed in that one that are not allowed in Urban Residential? Mr. Manley stated in Urban Residential you can have nonresidential uses but they have to be accessory to the principle use, a residential principle use. Under CHMU you can have a commercial principle use. Mr. Morrow stated it would be a CZD so it would be site specific regardless.

Discussion was made on the number of units allowed.

There were no further questions for staff.

Vice-Chair asked the applicant to come forward and give their presentation.

Jacob Glover, the Director of Operations for Pace Living stated Hendersonville is a beautiful city. He stated they are a company that specializes in conversion space around the southeast. They are really excited about this one for the layout of the existing property, the uses, the amenity spaces and what it can bring to the community as far as the affordability concept. He stated they are proposing 120 units. They are proposing 100 studio units in the main structure. They are proposing ten one-bedroom units and ten two-bedroom units in the annex building. Currently it is a 50 unit structure. The building was built in 1967. He stated they bring contemporary living and he discussed having affordable and attractive living spaces. They take the existing structure and utilize the space by putting in new carpet and kitchens, etc. This keeps the cost down for the tenant. He discussed the amenities that would be provided. He discussed the architectural details and showed photos in the presentation. He stated they have an office in Miami and he works in Augusta, Georgia and they have one in Atlanta as well. They have a lead architect team. He talked about property management and this company is out of Greenville. They also have a design team. He showed a list of units that they have and the location. He discussed the models they have. He feels Hendersonville will be a great place and a great market for their units. He gave a conversion timeline.

Vice-Chair asked if there were any questions for the applicant.

Ms. Waters stated this development sounds like it will be aimed at adults and there won't be children in there. She thinks the sidewalks are a moot point. Mr. Glover stated that is correct and he won't say there won't be children there but the majority of the people will be working professionals. The sidewalk is one of those things if they build it where does it go to.

The ballpark average for the studio in Augusta is \$1,100 to \$1,200 all in. That gives you your rent and all your utilities. It gives you a pool, a gym and workspace. He doesn't know what the market in Hendersonville will be yet.

Vice-Chair asked what the size of the units would be. Mr. Glover stated a little over 300 to 315 to the 320 range. They will have ten one-bedrooms that will be larger and ten two-bedrooms.

Vice-Chair asked if he had any feelings about adding the CHMU zoning to the motion because she thinks that is better for them. Mr. Glover stated they do too. He feels like it fits.

There were no further questions for the applicant.

Vice-Chair opened public comment.

Ken Fitch, 1046 Patton Street stated he is not against this but he wants to know what is it. It is almost like Lake Pointe Landing but for young professionals. How it functions and how it remains affordable is the question. He stated they want this to succeed and they don't want a problem like it is now. Having staff for the amenities and maintaining it will be a cost. Is there an occupancy limit in the studio apartments. There are people that would love this but would not be able to afford it. The one issue is security and given the location that is a big concern.

Mr. Patel, 150 Sugarloaf Road stated he is not against the project. The only concern he has is how in the future do you make sure it does not become government or low-income housing. That brings other issues in that area. There are police cars running all night long on Sugarloaf Road.

Mr. Glover stated security is always a big deal. Anything they do with 100 units or more will have on-site staff at all times. That is usually one person at night and two people during the day. The property management company will handle the logistics on that end. They will make sure everything is secure and functioning. He described the studio units and having a kitchenette and separating space for a bed. He stated this project will cost money and the money they put in here, government housing would not suffice. They are very strategic on the renovation, the design, the function and the property management. They think it will be a great asset for the city.

Vice-Chair closed public comment.

Ms. Gilgis made a motion to recuse Mark Russell due to a conflict. Ms. Flores seconded the vote which passed unanimously.

The Board discussed the motion and rezonings and adding a second option.

Ms. Gilgis moved the Planning Board recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9579-56-1085) from C-3, (Highway Business Zoning District) and CHMU (Commercial Highway Mixed Use Zoning District) to UR-CZD (Urban Residential Conditional Zoning District) or CHMU CZD, (Commercial Highway Mixed Use Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant [dated April 29, 2025], and presented at this meeting and subject to the following: 1. The development shall be consistent with the following permitted uses Permitted Uses: a. Residential Dwellings, Multi-Family 120 units. 2. The development shall be consistent with the site plan, including the list of applicable conditions contained therein. 2. Permitted uses and applicable conditions presented on the site plan shall be amended to include: Proposed City initiated Conditions: TIA shall be deferred to after the rezoning but prior to final site plan approval. 3. The requested rezoning to Urban Residential Conditional Zoning District or CHMU CZD Commercial Highway Mixed Use Conditional Zoning District and the associated proposed redevelopment align with the Gen H 2045 Comprehensive Future Land Use & Conservation Map and the Character Area Description for "Mixed Use Employment". 4. We find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because: 1. The proposed redevelopment would reuse and restore an underutilized property located in close proximity to a major commercial corridor. 2. The proposed conversion of the subject property would provide needed housing units. 3. The proposed

renovation of the subject property would result in improved landscaping. Mr. McKinley seconded the motion which passed unanimously.

The Board had a five minute recess.

V(C) Zoning Map Amendment – Standard Rezoning – 135 Sugarloaf Road (P24-43-RZO). Mr. Manley stated the applicant requested to defer this application.

Vice-Chair stated this application will be placed on the June meeting at 4:00 PM at this location.

V(D) Zoning Text Amendment – Reforms for Housing – PRD Changes (25-01-ZTA). Mr. Manley gave the following background:

Mr. Manley stated this has been brought to the Board before. The changes to PRD were voted on and approved but staff has made a few tweaks to them. This is falling under the umbrella of housing affordability.

Mr. Manley gave a project background which is included in the staff report and presentation.

Mr. Manley discussed the housing text amendments that were recently approved. He discussed the proposed amendments which are included in the staff report and presentation.

The proposed amendment for PRD were discussed and are included in the staff report and presentation.

Vice-Chair asked if there were any question for staff.

Ms. Flores asked about the setback for the front facing garages and if that was purely for aesthetics. Mr. Manley stated it is about creating clearance from the sidewalk. A lot of people are not using their garage for storing vehicles but for storing stuff and they are parking their vehicle in the driveway. Our current parking space standard is 9' x 18' in a parking lot but the largest vehicles on the road are 20' to 20.5' long so this causes the vehicles to hang out onto the sidewalk so this creates more room for that.

Ms. Gilgis commended staff for their hard work.

Vice-Chair opened public comment.

Ken Fitch stated text amendments are problematic because there are a uniform set of standards but the problem is with our geography the parcels differ greatly and the character and how they function and one size does not fit all. He discussed PRDs and CZDs being investment properties. The changes in setbacks do offer more opportunities for more units. He was concerned about this creating greater opportunities for incompatibility.

Vice-Chair closed the public comment.

Mr. Johnson moved the Planning Board recommend City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance: Article IV. Establishment of Zoning Districts & Article V. Zoning District Classifications as presented by staff, based on the following: The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and because: The proposed text amendment aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Descriptions. 2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: 1.The proposed amendment

creates an opportunity to address the need for additional, dispersed, “attainable” infill housing. 2.The proposed amendment allows for property owners to better utilize their property and earn additional revenue. 3.The proposed amendment will allow for “missing middle housing” Ms. Flores seconded the motion which passed unanimously.

V(E) Zoning Text Amendment – Tree Canopy Preservation & Enhancement Clarifying Edits (25-15-ZTA)

Vice-Chair stated this application has been postponed.

VI Other Business

VII Adjournment – *The meeting was adjourned at 6:33 pm.*

Jim Robertson, Chair